


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

20 MAY 28 AM 8:02

CLERK 
SO. DIST. OF GA.

PHIL LEE MINCEY,

Plaintiff,

v.

DOCTOR BEVERLY BROWN; WARDEN
KILPATRICK; and AUGUSTA
UNIVERSITY,

Defendants.

CIVIL ACTION NO.: 6:19-cv-58

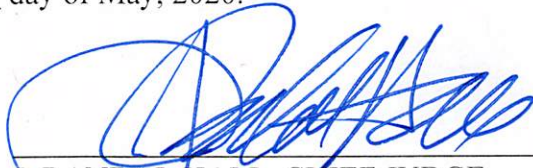
ORDER

The Court has conducted an independent and de novo review of the entire record and concurs with the Magistrate Judge's Report and Recommendation, doc. 11. Plaintiff filed Objections to the Report and Recommendation. Doc. 13.

Plaintiff's Complaint primarily concerns his denial of adequate medical care while incarcerated. Doc. 1 at 5-6. The Magistrate Judge recommended the dismissal of Plaintiff's claims against Defendants Kilpatrick and Augusta University because Plaintiff failed to include any facts related to these Defendants. Doc. 11 at 3-4. The Magistrate Judge further recommended Plaintiff's claims against Defendant Brown in her official capacity be dismissed because Plaintiff's requested recovery is barred by the Eleventh Amendment. Id. at 4-5. Plaintiff's Objections are responsive to the Report and Recommendation but are meritless. Doc. 13. Indeed, regarding Plaintiff's claims against Defendant Brown, the case law Plaintiff cites is consistent with the Magistrate Judge's reasoning. Id. at 1.

For the reasons set forth above, the Court **OVERRULES** Plaintiff's Objections and **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court. The Court **DISMISSES** all claims against Defendants Augusta University and Warden Kilpatrick and all claims against Defendant Brown in her official capacity. Plaintiff's claim for deliberate indifference against Defendant Brown in her individual capacity remains pending. Doc. 12.

SO ORDERED, this 28th day of May, 2020.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA